

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:11-cv-00124 RJC -DSC

COLD STONE CREAMERY, INC.,

 Judgment Creditor,

v.

ORDER

FRANCO TREGLIA,

 Judgment Debtor.

THIS MATTER is before the Court on Cold Stone Creamery, Inc.’s (“Cold Stone”) Motion to Compel (Doc. No. 8) and supporting brief (Doc. No. 9). The Judgment Debtor, Franco Treglia (“Treglia”), did not file any opposition to this Motion, and the matter is now ripe for disposition.

AND IT APPEARING TO THE COURT that Cold Stone served its First Set of Interrogatories to Discover Assets and First Set of Requests for Production to Discover Assets (the “Discovery Requests”) on September 1, 2011; that the time within which Treglia had to respond to the Discovery Requests has expired; that despite Cold Stone’s good faith attempt to obtain the discovery without Court action, Treglia has failed to respond to the Discovery Requests; and that Cold Stone has reasonably incurred the sum of \$1,787.50 for attorneys’ fees in attempting to obtain the discovery due from Treglia.

IT IS, THEREFORE, ORDERED, that Cold Stone’s Motion to Compel is **GRANTED** and Judgment Debtor Franco Treglia is ordered:

(a) To serve on or before Friday, December 19, 2011, his responses to Judgment Creditor’s First Set of Interrogatories to Discover Assets and First Set of Requests for Production to Discover Assets.

(b) To pay to Cold Stone the sum of \$1,787.50 for Cold Stone’s attorneys’ fees incurred

in making this Motion.

SO ORDERED.

Signed: December 8, 2011

D S Cayer

David S. Cayer
United States Magistrate Judge

